

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Brian M. Fendly et al.

GAU: 1641

SERIAL NO: 08/948,149

EXAMINER: R. Schwartz, Ph.D.

FILED: October 9, 1997

FOR: ANTI-ErbB2 ANTIBODIES

NOTICE OF APPEAL

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated June 17, 1999

The items checked below are appropriate:

A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for months.

A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

A Petition for Extension of Time for filing the Notice of Appeal is attached.

Fee: \$300.00

Is Enclosed

Charge to Deposit Account No. 50-0911 (an additional copy of this notice is enclosed herewith).

Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 50-0911. A duplicate copy of this Notice is enclosed.

If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 50-0911. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

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